

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

GEORGIACARRY.ORG, INC.
And BRIAN BARRS,

Plaintiffs

v.

THE U.S. ARMY CORPS OF
ENGINEERS,
And
THOMAS J. TICKNER, in his
Official Capacity as Commander,
Savannah District of the US Army
Corps of Engineers,

Defendants.

CIVIL ACTION FILE NO.

1:14-CV-00178-JRH-BKE

**PLAINTIFFS' MOTION FOR CLERK'S ENTRY OF DEFAULT AGAINST
DEFENDANT THOMAS J. TICKNER**

Plaintiff moves for the Clerk's entry of default against Defendant Thomas J. Tickner. As grounds for this Motion, Plaintiff shows the Court as follows:

Plaintiffs commenced this action to enjoin Defendants' enforcement of 36 C.F.R. § 327.13. Defendant Tickner was served on September 5, 2014, and such service included service on the United States Attorney. Doc. 9. U.S.

Governmental officers sued in an official capacity must serve an answer to the

complaint within 60 days of service on the United States Attorney.

Fed.R.Civ.Proc. 12(a)(2).

Sixty days from September 5, 2014 was November 4, 2014, and upon the records of the Clerk, no answer or other response to the Complaint has been filed by either Defendant as of this writing. Indeed, Tickner just filed a motion today for an extension of time to file a response (without notifying the Court that he already is in default).

Pursuant to Fed.R.Civ.Proc. 55(a), the Clerk must enter a default against a Defendant that fails to plead or otherwise defend. Plaintiffs therefore move for the Clerk to enter a default against Tickner.

JOHN R. MONROE,

/s/ John R. Monroe
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ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I certify that on November 7, 2014, I served a copy of the foregoing via the ECF system on counsel of record

/s/ John R. Monroe

John R. Monroe